

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

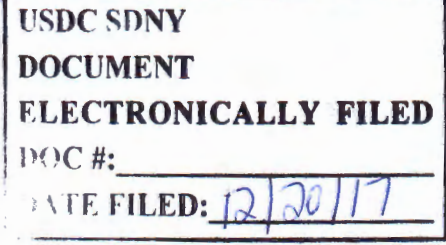
JOINT STOCK COMPANY CHANNEL
ONE RUSSIA WORLDWIDE, et al.,

Plaintiffs,

-against-

INFOMIR LLC, et al.,

Defendants.



16-CV-1318 (GBD) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

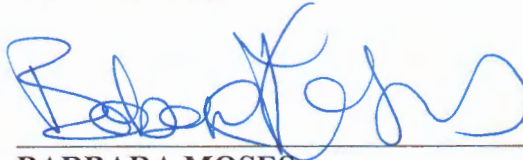
The Court has received and reviewed plaintiffs' letter-application dated December 19, 2017 (Dkt. No. 477), seeking various forms of relief regarding the upcoming deposition of defendant Goodzone's designated Rule 30(b)(6) witness, Sam Katsman. The application is GRANTED IN PART AND DENIED IN PART, as follows:

1. The Katsman deposition shall proceed on December 21, 2017, as previously scheduled, through a Russian translator. Goodzone should have made its request for a translator earlier than the Monday before a Thursday deposition. However, the Court is confident that two business days is sufficient time for plaintiffs' counsel to engage a qualified Russian translator in New York City.
2. The cost of the translator shall be borne by plaintiffs in the first instance. *See Garcia v. BAE Cleaners Inc.*, 2011 WL 6188736, at *4 (S.D.N.Y. Dec. 12, 2011). However, if plaintiffs are required to pay premium rates due to the lack of notice, Goodzone shall reimburse plaintiffs for the excess costs.
3. Because testifying through a translator adds to the time needed for a deposition, Katsman will be required to testify for a total of 12 hours over two days. *See Shu Jin v. Pac. Buffet House, Inc.*, 2007 WL 4730942, at *1 (E.D.N.Y. May 17, 2007) ("Here, because an interpreter was needed to translate both the questions and the answers during the plaintiff's deposition, more than the usual amount of time for a deposition was clearly warranted."). The second session of the Katsman deposition shall take place on or before **January 22, 2018**.
4. The Court has no basis on which to order Goodzone to produce documents "in advance of" the December 21 deposition. Pl. Ltr. dated Dec. 19, 2017, at 1. That deposition was less than 48 hours away when plaintiffs filed their letter-application on Tuesday evening, December 19. The Court has not seen Goodzone's responses to plaintiffs'

document demands, has not been told the basis of its objections (if any), and does not know what documents were “discussed during the December 12 meet and confer.” *Id.* at 2. Plaintiffs may renew their application regarding the documents – in accordance with my Individual Practices – prior to the second session of the Katsman deposition.

Dated: New York, New York
December 20, 2017

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Barbara Moses', is written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge